

Lincolnshire Police

Policy Document



Professional standards public complaints and misconduct policy PD 21

Policy document information

Reference number:	PD 21
Policy sponsor:	DCC
Policy owner:	Head of Professional Standards
Reviewer:	Complaints & Misconduct Inspector, PSD – D/Insp Jessica Cook
Publication date:	August 2025
Review date:	August 2027

Version history

Version	Date	Reason for issue
14	May 2020	Amendments to Appendices
15	May 2021	Biennial Review
16	May 2023	Biennial Review
17	August 2025	Biennial Review and introduction of New EIA

Code of Ethics

All staff involved in carrying out functions under this policy and associated procedures and appendices will do so in accordance with the principles of the Code of Ethics. The aim of the Code of Ethics is to support each member of the policing profession to deliver the highest professional standards in their service to the public.

Legislative compliance

This document has been drafted to comply with the principles of the Human Rights Act. Proportionality has been identified as the key to Human Rights compliance, this means striking a fair balance between the rights of the staff and those of the rest of the community. There must be a reasonable relationship between the aim to be achieved and the means used.

Equality and Diversity issues have also been considered to ensure compliance with the Equality Act 2010 and meet our legal obligation in relation to the equality duty. In addition, Data Protection, Freedom of Information and Health and Safety Issues have been considered. Adherence to this policy or procedure will therefore ensure compliance with all relevant legislation and internal policies.

Other legislation/law which this policy has been drafted to comply with:

- [Human Rights Act 1998 \(in particular A. 3 – prohibition of degrading treatment, A. 6 – right to a fair trial, A. 8 – right to respect and family life\)](#)
- [Equality Act 2010](#)

- [Crime and Disorder Act 1998](#)
- [H&S legislation](#)
- [Data Protection Act 2018](#)
- [Freedom Of Information Act 2000](#)

Security classification

Policy to be published on Intranet: Yes

Policy to be published on Force Website: Yes

Authorised Professional Practice (APP)

This Policy has been checked against APP. Lincolnshire Police has adopted the APP provisions, with supplementary information contained herein, which reflects local practice and the needs of the communities served by Lincolnshire Police.

Those provisions are shown in the link below and can be accessed via the home page of the APP website:

[Professional Standards](#)

1. Policy aims (Purpose)

- 1.1. The aim of the policy is to maintain the confidence of the public, officers, staff and volunteers by offering a complaints and conduct procedure which is open, transparent, fair, timely and proportionate.
- 1.2. The policy is designed to provide all members of Lincolnshire Police and the public with specific guidance and information regarding successfully dealing with complaints and conduct matters and in all cases to identify where lessons can be learned.
- 1.3. The policy seeks to ensure that Lincolnshire Police has a consistent and proportionate approach to public complaints and misconduct matters. It will help to improve personal and organisational performance by identifying any

lessons to be learnt and ensuring that they are appropriately disseminated throughout the force.

2. Policy statement (Key information)

2.1. Principles and Scope

- 2.1.1. Lincolnshire Police is committed to the highest standards of professional behaviour. This policy provides guidance to police officers, police staff and volunteers with regard to the initial handling of a complaint from the public, misconduct and other issues relating to professional standards.
- 2.1.2. An open and transparent complaints and misconduct system will provide the framework to ensure a consistent approach to the assessment, investigation and outcomes of matters relating to complaints and misconduct. This will enable the force to identify when such matters should be dealt with under the Police Performance Regulations 2020 and to recognise when incidents/complaints/recordable misconduct should be referred to the Independent Office for Police Conduct (IOPC).
- 2.1.3. The complaints procedures apply to all police officers, police staff and volunteers working for Lincolnshire Police.
- 2.1.4. The misconduct procedures apply only to serving Police Officers and Special Constabulary. Misconduct by police staff are dealt with under separate procedures led by HR.
- 2.1.5. Procedures in relation to “Unsatisfactory Performance” under the Police Performance Regulations 2020 are separate from this policy and Home Office guidance can be found on the HR website.
- 2.1.6. The policy does not cover the police staff discipline procedure or the unsatisfactory performance procedures.

2.2. Background and Legal Basis

2.2.1. The statutory framework for the handling of complaints and misconduct matters is contained in the following legislation:

- The Police Act 1996 (Part IV)
- The Police Reform Act 2002
- Police Regulations 2003
- Police (Performance) Regulations 2020
- Police Appeals Tribunals Rules 2008
- The Police and Social Responsibility Act 2011
- The Independent Police Complaints Commission (Complaints and Misconduct) (Contractors) Regulations 2015
- The Police (Conduct) Regulations 2020
- The Police (Complaints and Misconduct) Regulations 2020

2.2.2. Complaints and allegations of misconduct will be dealt with according to the regulations above.

2.2.3. The misconduct regulations are a two-tier system (misconduct/gross misconduct) in which an early assessment is made so that managers are able to take a flexible approach to dealing with their staff in a proportionate and timely way.

2.2.4. Proportionate means that the action taken in pursuit of this policy must be proportionate to its aims. In this case the policy seeks to ensure that Lincolnshire Police will deal with public complaints and allegations of misconduct appropriately in accordance with the regulations and relevant guidance. Proportionality will be addressed by considering the circumstances, the regulations and statutory guidance, the complainant's wishes, appropriate handling and the various applicable options for achieving a satisfactory outcome.

2.2.5. The system allows managers to differentiate and move between the misconduct and unsatisfactory performance procedures, ensuring that a matter is dealt with in a proportionate way and wherever appropriate, staff and volunteers are given an opportunity to learn and improve.

- 2.2.6. The Standards of Professional Behaviour set the standard expected (Appendix A).

3. Other related documents and appendices

3.1. Appendices:

- Appendix A - Standards of Professional Behaviour
- Appendix B - Guidance for officers recording and investigating complaints from members of the public.
- Appendix C - Dealing with conduct matters
- Appendix D - Suspension from duty.
- PD 97 - Disclosure Policy
- PD 48 - Professional Standards Reporting
- Police Staff UPP and Disciplinary Procedures
- Home Office Guidelines on UPP for Police Officers.

4. Monitoring and review

- 4.1 This policy will be monitored by the Professional Standards Department in liaison with the Human Resources Department. Amendments will be made to the policy using guidance from the Home Office and/or IPCC together with any good practice from other forces or changes in legislation prior to formal review. A formal review will be conducted biennially.

5. Who to contact about this policy

- 5.1. This policy is owned by the Head of Professional Standards, D/SUPT Deb Clark. Any enquires about this policy should be directed to PSD.